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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,775	03/29/2004	Michael J. Wallace	UTXC:779US

32425
 FULBRIGHT & JAWORSKI L.L.P.
 600 CONGRESS AVE.
 SUITE 2400
 AUSTIN, TX 78701



CONFIRMATION NO. 9513
 FORMALITIES LETTER



OC000000012993044

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$982** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1432** for a Small Entity

10/22/2004 BABRAHA1 00000038 10811775

• \$385 Statutory basic filing fee.	01 FC:2001	395.00	OP
• \$65 Late oath or declaration Surcharge.	02 FC:2051	65.00	OP
	03 FC:2202	36.00	OP
	04 FC:2203	150.00	OP

- Total additional claim fee(s) for this application is **\$982**

- **\$837** for **93** total claims over 20.
- **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP

600 CONGRESS AVENUE, SUITE 2400

AUSTIN, TEXAS 78701-3271

WWW.FULBRIGHT.COM

MGARRETT@FULBRIGHT.COM
DIRECT DIAL: (512) 536-3031

TELEPHONE: (512) 474-5201
FACSIMILE: (512) 536-4598

October 18, 2004

CERTIFICATE OF MAILING
37 C.F.R 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 18, 2004

Date

Mark T. Garrett

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/811,775 entitled "MEDICAL DEVICES AND RELATED METHODS" – Michael J. Wallace*
Our reference: UTXC:779US
Client reference: MDA02-037

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed June 18, 2004;
- (2) Declaration;
- (3) Power of Attorney;
- (4) Preliminary Amendment;
- (5) Request for Extension of Time;
- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (7) Check in the amount of \$861.00; and

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Commissioner for Patents
October 18, 2004
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(8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:779US.

Respectfully submitted,



Mark T. Garrett
Reg. No. 44,699

MTG/mar
Encl: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michael J. Wallace

Serial No.: 10/811,775

Filed: March 29, 2004

For: MEDICAL DEVICES AND RELATED
METHODS

Group Art Unit: 3731

Examiner: Unknown

Atty. Dkt. No.: UTXC:779US

CERTIFICATE OF MAILING
37 C.F.R 1.8

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October 18, 2004

Date

Mark T. Garrett

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated June 18, 2004, enclosed are:

- (a) Declaration executed on behalf of Michael J. Wallace;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;
- (c) Preliminary Amendment;

- (d) Our check in the amount of \$512.00 to cover the basic filing fee (\$395.00 – utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$36.00); multiple dependent claim fee (\$150.00); two month extension of time fee (\$215.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (f) A Request for Extension of Time of two months to and including October 18, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Board of Regents, The University of Texas System and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:779US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark T. Garrett
Reg. No. 44,699

Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: October 18, 2004